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and Marcas Modelo, S.A. de C.V.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CERVECERIA MODELO, S.A. DE C.V. and	:
MARCAS MODELO, S.A. DE C.V.,	:
	: Civil Action No. 07 CV 7998 (HB)
Plaintiffs,	:
	:
-against-	: DECLARATION OF JOANNA A.
	: DIAKOS IN SUPPORT OF MOTION
USPA ACCESSORIES LLC d/b/a CONCEPT ONE	: TO DISMISS
ACCESSORIES,	:
	:
Defendant.	:
-----X	:

JOANNA A. DIAKOS, hereby declares:

1. I am an associate with the law firm of Kirkpatrick & Lockhart Preston Gates Ellis LLP, attorneys for Plaintiffs Cerveceria Modelo, S.A. de C.V. ("Modelo") and Marcas Modelo, S.A. de C.V. ("Marcas Modelo") (together, "Plaintiffs"). I am admitted to practice in the State of New York and before this Court, and I submit this Declaration in support of Plaintiffs' Motion to Dismiss the Third Counterclaim and to Strike Demand for Punitive Damages.
2. The purpose of this declaration is to set before the Court certain documents that are central to Defendant USPA Accessories LLC d/b/a Concept One Accessories' ("Concept

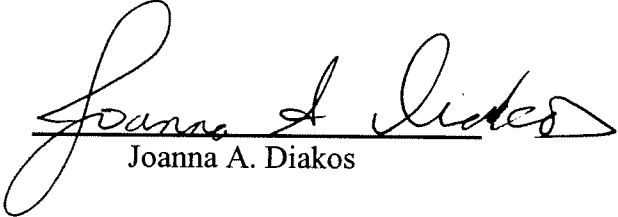
One”) tortious interference counterclaim and which may be considered by the Court on this motion to dismiss.

3. Attached hereto as Exhibit A is a true and correct copy of Defendant’s Answer and Counterclaims dated October 22, 2007.

4. Attached hereto as Exhibit B is a true and correct copy of the License Agreement entered into by Marcas Modelo, S.A. de C.V. and defendant Concept One effective January 1, 2007, which was also attached as Exhibit C to Plaintiffs’ Complaint.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 13th day of November, 2007 in New York, New York.


Joanna A. Diakos